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A Power That Is: the Spy Establishment

By RICHARD HUDSON

I have decided to cash my \$1,000 check from the CIA. It was not an easy decision.

The check was a token compensation for opening my mail illegally, just part of the U.S. government's long surveillance of me while I was considered a possible subversive. As a loyal American, I find this puny "award" insult added to injury.

The matter began in August, 1975, when I requested my files from the Central Intelligence Agency, the Federal Bureau of Investigation, the State Department and other U.S. government agencies under the Freedom of Information Act. In due course, I received a 2-inch-thick sheaf of papers.

When I first read them, I didn't know whether to laugh or cry. On almost every page, large areas were blacked out by streaks from a heavy ink brush. But enough remained to dismay me thoroughly.

One example from an FBI report: "A current informant (name obliterated) out of the Los Angeles office, who has furnished reliable information in the past, advised on May 19, 1950, that on May 7, 1950, the California Labor School, Los Angeles Division, sponsored a May Day Festival at 330 S. Ford Blvd., Los Angeles. Informant advised that among automobiles parked in the vicinity at the time of the festival was one bearing California license 53 Z 783, which informant advised was registered to Richard M. Hudson Jr., 1459 Corson St., Pasadena, for a 1941 Studebaker sedan."

At that time, I was a candidate to become a Foreign Service officer in the U.S. State Department, having passed its tough four-day written exam. When I took the oral exam in Washington, I detected no hint that I might be suspected of holding subversive views. I was told that I was perhaps a bit young, and should reapply the following year, but by then I had decided that I preferred a career in journalism.

To this day, I have never heard of the California Labor School. Having kept a dia-

ry for many years, I can establish that on May 7, 1950, I was living it up in Ensenada, Mexico, in my beautiful 1947 Ford convertible, having sold that cranky Studebaker a month or so previously.

From my files I found out about all kinds of things that had been going on around me without my knowing about them. One of the most bizarre occurrences, which I thought I understood at the time, turned out to be something quite different.

As I recall the incident, I was sitting in my office on East 36th Street in Manhattan on the afternoon of Sept. 24, 1964, when two FBI agents walked in and identified themselves. One of them, a dead ringer for Dick Tracy, showed me a photograph of myself in dark glasses, carrying my bulging briefcase and marching along at full tilt. He asked if it was me in the photo, and I said it was.

The agent then explained at considerable length and in great detail that I might be involved—perhaps inadvertently—in one of the biggest jewel robbery rings in history. A large cache of stolen jewels, including some taken during a burglary in Jack Benny's home in Beverly Hills, was to have been passed to the country's top fence at 53rd Street and Madison Avenue. At the appointed hour, with the FBI waiting nearby in a green panel truck, I happened along. But something had caused the deal to abort. The agent wanted to know whether I had sneezed or scratched my ear at that moment, anything that the thieves might have interpreted as a signal to call the whole thing off.

I certainly couldn't remember sneezing or scratching my ear, since the event had occurred some weeks earlier. In fact, I could not even imagine why I would have been at 53rd and Madison at that time and date. My secretary was helpful: "I'll bet you were walking back from the Soviet mission with our interview on peacekeeping."

"Of course," I said. Soon after, the agents

left, but not without asking me to call them if I suddenly remembered sneezing or scratching my ear or something.

For years, I assumed that the FBI had concocted the story about the stolen jewels just to fish from me information about why I had visited the Soviet mission to the United Nations. But the papers I received years later disclosed that the agents had an additional motive. They wanted to check me out

as a potential security informant or double agent. Two weeks later, the FBI director turned down the New York office's request to interview me again, commenting: "Your letter shows that while a live source has indicated that he has a very practical approach to the problem of disarmament, and he is not disloyal to the United States, there are some factors showing his past association with Communist Party members which raises some question as to the desirability of our conducting an interview." I can only wonder if they had in mind my suspicious old Studebaker; mention of it turned up repeatedly in reports on me over the years.

Most surprising was the fact that my file included photocopies of 12 letters that I had sent to the Soviet Union, most in connection with a month-long trip that I'd made there in 1965. This evidence that my mail had been opened appeared to establish that my rights had been violated. My attorney advised me to submit damage claims of \$20,000 per letter—a total of \$240,000—which I did.

In a recent court case, the defendants, victims of FBI mail opening, were each awarded \$1,000. Soon after, I received the \$1,000 check from the CIA. An accompanying letter advised that cashing the check would "absolve the United States and its officers and employees from any and all liability arising out of this agency's mail-intercept program."

I also learned that another suit, a class action, had been filed against individuals involved in opening people's mail. My first thought was to put the \$1,000 at risk and return the check to the CIA if there were a good chance of winning damages that the people involved would have to pay personally. But I was told that, since I was one of only about 70 people who had received \$1,000 checks, while more than 120,000 were party to the class action as victims of mail opening, my participation would not strengthen the case. Furthermore, it might not be resolved for years.

So I have decided to cash the check. The money will come in handy, but I am afraid that it's only a tap on the spy agencies' wrist. What will keep the government from opening my mail again?

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